

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER N-09-007B

Relating to ARB Approval for an Exemption from Third Party Certification for Composite Wood Product Manufacturers that use Ultra-low-emitting Formaldehyde Resins under section 93120.3, title 17, California Code of Regulations

Masonite Laurel (Masonite-Laurel)

WHEREAS, the Air Resources Board (ARB) has adopted the "Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products" (the "ATCM"; title 17, California Code of Regulations, sections 93120-93120.12), which establishes formaldehyde emission standards for composite wood products;

WHEREAS, section 93120.1(a)(42) of the ATCM defines "ultra-low-emitting formaldehyde (ULEF) resins" to mean "resins formulated such that average formaldehyde emissions are consistently below the Phase 2 emission standards in section 93120.2," for making hardwood plywood, particleboard, or medium density fiberboard;

WHEREAS, section 93120.3(d) of the ATCM allows manufacturers of hardwood plywood, particleboard, and medium density fiberboard who use ULEF resins to apply for written approval from the Executive Officer for an exemption from the requirements of section 93120.3(b) of the ATCM;

WHEREAS, Masonite-Laurel was issued Executive Order N-09-007A signed on February 10, 2010, designating Masonite-Laurel as an ULEF manufacturer of thin medium density fiberboard;

WHEREAS, Masonite-Laurel submitted a request to ARB on December 21, 2010, for approval to conduct a temporary mill trial and to deem their manufactured mill trial production as ULEF products;

WHEREAS, Masonite-Laurel disclosed the supplier of the mill trial resin and submitted formulation data for the mill trial resin to demonstrate that the mill trial resin is the same resin type as that authorized under Executive Order N-09-007A;

WHEREAS, based on the information provided by Masonite-Laurel, ARB staff has concluded that the use of the mill trial resin will result in formaldehyde emissions consistently well below the Phase 2 emission standards for thin medium density fiberboard;

WHEREAS, Masonite-Laurel submitted an emissions testing plan entitled "Laurel Trial Request No. 11-06," for ongoing quality control emissions testing during the mill trial based on the data submitted for Executive Order N-09-007A;

WHEREAS, Masonite-Laurel indicates that the mill trial will have a duration of no more than three months from the time of ARB approval;

WHEREAS, in addition to their quality control emissions test results, Masonite-Laurel will submit two primary or secondary method test results performed by an ARB-approved third party certifier to verify that their mill trial product emissions are no greater than 0.04 ppm;

NOW, THEREFORE, IT IS ORDERED that Masonite-Laurel is hereby approved to conduct a mill trial using the candidate mill trial resin as a ULEF manufacturer of thin medium density fiberboard that is exempt from the requirements of section 93120.3(b) and Appendix 2 of section 93120.12 of the ATCM, provided that the following conditions are met for products sold, supplied, offered for sale, or manufactured for sale in California:

1. Masonite-Laurel must conduct quality control emissions testing as described in Attachment A, for the plan entitled, "Laurel Trial Request No. 11-06;
2. Masonite-Laurel must demonstrate that the mill trial product quality control emission test results are lower than 0.04 ppm as described in Attachment A.

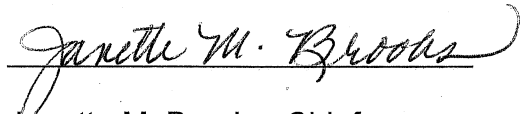
BE IT FURTHER ORDERED that all provisions of N-09-007A remain in effect during the duration of this Executive Order;

BE IT FURTHER ORDERED that the duration of the authorized mill trial shall be three months from the date of approval of this Executive Order;

BE IT FURTHER ORDERED that the applicant must maintain records in electronic or hard copy form for two years, for review by ARB upon request, as specified in section 93120.3(g) of the ATCM.

BE IT FURTHER ORDERED that the applicant must notify the Chief of the Air Quality Measures Branch if there is any change in their product manufacturing parameters or base resin manufacturer(s) or supplier(s) that does not comply with any of the requirements, terms or conditions specified in the ATCM or this Executive Order.

Executed at Sacramento, California this 7th day of February, 2011.

A handwritten signature in cursive script, reading "Janette M. Brooks", written over a horizontal line.

Janette M. Brooks, Chief
Air Quality Measures Branch
Stationary Source Division

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